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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of Wier et al.

Serial No. 10/661,782

Group Art Unit 1648

Filed 09/15/2003

Examiner Chen

For **"METHOD FOR MEASUREMENT OF LYMPHOCYTE FUNCTION"**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE UNDER 37 C.F.R. §1.112

Sir:

OK
to
enter.

SBC
9/18/06

In response to the Office Action mailed August 9, 2006, attached is a Terminal Disclaimer document which references U.S. Patent 5,773,232 together with the requisite fee. The Terminal Disclaimer addresses the only outstanding issue in the case, and should place the application in *prima facie* condition for allowance. If any additional fees are required to gain entry of this response and the Terminal Disclaimer, the Commissioner is authorized to charge attorney's deposit account 50-2041 (Whitham, Curtis, Christofferson & Cook).

In view of the foregoing, it is requested that the application be reconsidered, that claims 33 and 35-46 be allowed, and that the application be passed to issue.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at 703-787-9400 (fax: 703-787-7557; email: ruth@wcc-ip.com) to discuss any other changes deemed necessary in a telephonic or personal interview.